By: King &

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H.B. No. 1003

## A BILL TO BE ENTITLED

AN ACT

2	relating to the abolition of certain water control and improvement,
3	water improvement, and irrigation districts.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Subchapter D, Chapter 43, Local Government Code,
6	is amended by adding Section 43.0741 to read as follows:
7	Sec. 43.0741. ABOLITION OF CERTAIN WATER CONTROL AND
8.	IMPROVEMENT, WATER IMPROVEMENT, AND IRRIGATION DISTRICTS THAT
9	DELIVER RAW WATER TO MUNICIPALITIES. (a) This section applies only
10	to:
11	(1) a water control and improvement, water
12	improvement, or irrigation district:
13	(A) at least 60 percent of the territory of which
14	is located in a single municipality as a result of annexation or
15	incorporation;
16	(B) that diverts raw water from the Rio Grande
17	and in a 12-month period delivers at least 80 percent of that raw
18	water to the municipality for municipal use; and
19	(C) that has no outstanding bonded indebtedness;
20	and
21	(2) a municipality that receives raw water from a
22	district described by Subdivision (1).
23	(b) A municipality may adopt an ordinance abolishing a
24	district by a vote of at least two-thirds of the membership of the

2	<pre>that:</pre>
3	(1) at least 80 percent of the raw water diverted by
4	the district in any 12-month period was for municipal use by the
5	municipality;
6	(2) the district has no outstanding bonded
7	indebtedness;
8	(3) the services furnished and functions performed by
. 9	the district can be furnished and performed by the municipality;
10	and
11	(4) the abolition of the district is in the best
12	interests of the residents and property of the municipality and the
13	district.
14	(c) The voters of the municipality may protest the enactment
15	or enforcement of the ordinance by filing a petition with the
16	secretary of the municipality. The petition must be signed by a
17	number of qualified voters of the municipality that is equal to at
18	least 10 percent of the number of voters who voted in the most
19	recent election for municipal officers. The petition must be filed
20	not later than the 30th day after the later of:
21	(1) the effective date of the ordinance; or
22	(2) the date of publication of the ordinance.
23	(d) The secretary shall verify the signatures on a petition
24	filed in accordance with Subsection (c) and present the verified
25	petition to the governing body of the municipality at its next
26	scheduled meeting.
27	(e) On receipt of a verified petition, the governing body of

municipality's governing body if the governing body determines

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2	may not take an action under the ordinance.
3	(f) The governing body of the municipality shall reconsider
4	the suspended ordinance at its next meeting. If the governing body
5	does not repeal the ordinance, the governing body shall submit a
6	proposition for or against the ordinance to the voters at the next
7	municipal election or at a special election the governing body may
8	order for that purpose. The ordinance does not take effect unless a
9	majority of the voters voting in the election vote for the
10	ordinance.
11	(g) The ordinance takes effect on:
12	(1) the expiration of the period for filing a petition
13	under Subsection (c) if the voters of the municipality do not file a
14	petition that meets the requirements of that subsection before the
15	expiration of that period; or
16	(2) the approval of the ordinance at an election under
17	Subsection (f).
18	(h) If the ordinance takes effect:
19	(1) the district is abolished;
20	(2) the property and other assets of the district vest
21	in the municipality;
22	(3) the municipality becomes responsible for
23	operating the district's facilities for the benefit of the
24	district's existing customers and performing the services and
25	functions that were performed by the district; and
26	(4) the municipality assumes all the debts,
27	liabilities, and obligations of the district.

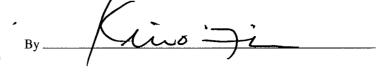
the municipality shall suspend the ordinance, and the municipality

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- (i) A district that is abolished under this section shall provide its management and operational records to the municipality to ensure the orderly transfer of management and operational responsibility to the municipality.
- 5 SECTION 2. This Act takes effect September 1, 2005.

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FEB 1 0 2005	Filed with the Chief Clerk	
FEB 1 4 2005	Read first time and referred to Committee on	
	Reportedfavorably (as amended) (as substituted)	
	Sent to Committee on (Calendars) (Local & Consent Calendars)	
	Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of yeas, nays, present, not voting)	
	Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of yeas, nays, present, not voting	
	Read third time (amended); finally passed (failed to pass) by a (non-record vote) (record vote of yeas, nays, present, not voting)	
	- Engrossed	
	Sent to Senate CHIEF CLERK OF THE HOUSE	
OTHER HOUSE ACTION	N:	
	Received from the House	
	Read and referred to Committee on	
	Reported favorably	
	. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time	
	. Ordered not printed	
	Laid before the Senate	
	Senate and Constitutional Rules to permit consideration suspended by (unanimous consent) (	s)
	Read second time,, and passed to third reading by (unanimous consent) (a viva voce vote) ( yeas, na	ays)
	Senate and Constitutional 3 Day Rules suspended by a vote of yeas, nays	
	Read third time,, and passed by a (viva voce vote) ( yeas, nays)	
OTHER SENATE ACTIO	Returned to the House	****

 Returned from the Senate (as substituted) (with amendments)
 House concurred in Senate amendments by a (non-record vote) (record vote of yeas, nays, present, not voting)
House refused to concur in Senate amendments and requested the appointment of a conference committee by a (non-record vote) (record vote of
 House conferees appointed:, Chair;,
 Senate granted House request. Senate conferees appointed:
 Conference committee report adopted (rejected) by the House by a (non-record vote) (record vote of yeas, nays, present, not voting)
 Conference committee report adopted (rejected) by the Senate by a (viva voce vote) (record vote of yeas, nays)